

## **A – AGRICULTURE DISTRICT** (Draft – Subject to Change)

Information from RM of Big River No. 555 Official Community Plan Bylaw #23-01-01 and Zoning Bylaw #23-01-02.

**Permitted Use** – Means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in the zoning bylaw.

**Discretionary Use** – A use or form of development specified in the zoning bylaw, which may be allowed following application to, and approval by Council; and which complies with the development standards and other regulations as may be required by Council and/or contained in the zoning bylaw.

### **Sewage Disposal Permit**

- All development permit applications, permitted or discretionary use, must be accompanied by a copy of a valid sewage disposal permit issued by Public Health.

### **Farm Dwellings, Single Detached Dwellings, Manufactured Dwellings and Modular Dwellings**

- Farm dwellings, single detached dwellings, manufactured dwellings and modular dwellings are a Discretionary Use.
- Minimum floor area – 40 m<sup>2</sup>.
- Minimum setbacks unless otherwise indicated (ex. from centre line of roads, see below):
  - Front yard – 35 m.
  - Side yard – 10 m.
  - Rear yard – 10m.
- Manufactured dwellings must conform to the CSA Standard No. Z240.2.1-1979 and amendments thereto.
- Modular dwellings must conform to CSA Standard A277.
- All manufactured dwellings and modular dwellings must be attached to a permanent foundation.
- The undercarriage of all manufactured dwellings and modular dwellings shall be required to be completely screened by way of the foundation, skirting, or material which is consistent with the exterior of the unit, and shall allow for the circulation of air beneath the unit.

### **Accessory Buildings**

- Accessory buildings, including shipping containers and membrane covered structures, are a Permitted Use.
- Accessory uses, buildings and structures shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use, and shall include detached decks.
- No form of temporary or permanent residential development or human habitation, including but not limited to, habitable rooms, dwelling units, guest suites or bunk houses shall be permitted in any accessory building. Bunk houses and guest houses are prohibited in any residential zoning district. The approval of a proposed development of a single detached dwelling on a site which is intended to replace an existing dwelling will be issued on the condition that the existing dwelling is removed upon completion of the construction of the new dwelling in order to prevent the continuance of its use in the future for residential purposes as a guest house.
- Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building.
- Minimum setbacks unless otherwise indicated (ex. from centre line of roads, see below):
  - Front yard – 35 m.
  - Side yard – 10 m.
  - Rear yard – 10 m.

### **Setback from Centre Line of Roads**

- The minimum setback of buildings, including dwellings, from the centre line of a municipal road allowance, grid road, main farm access road or provincial highway on all sites shall be 45 metres. On provincial highways, the minimum setbacks shall be regulated by the Ministry of Highways. Development of buildings on sites that do not abut such roads shall observe the minimum front yard setbacks as identified in the specific regulation for those districts.

## 6.1 A – AGRICULTURE DISTRICT

### 6.1.1 Intent

The objective of the **A** - Agriculture District is to provide for the primary use of land in the form of agricultural development, associated residences, limited single-parcel country residential development, location-dependent natural resource development and other uses compatible with agricultural development.

### 6.1.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 6-1.

### 6.1.3 Prohibited Uses

Uses prohibited in the **A** - Agriculture District are as follows:

### 6.1.4 Accessory Buildings

- (1) Accessory buildings and uses, except dwelling units, shall be permitted subject to Section 4.14.10.
- (2) Farm dwellings, subject to Section 3.5.2.2 (c) of the Official Community Plan.

### 6.1.5 Regulations

- (1) *Site Requirements*
  - (a) Minimum and maximum site size, site width, and yard requirements are shown in Table 6-1.

### 6.1.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **A** - Agriculture District with regard to Section 3.7.2 Discretionary use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

- (1) Intensive agricultural operations including, but not limited to, *intensive livestock operations* subject to Section 3.5.2.4 of the Official Community Plan.
- (2) Personal care homes shall be licensed under *The Personal Care Homes Act*.
- (3) *Discretionary Commercial Uses*
  - (a) Where ancillary to a farm operation, or single detached dwelling, Council may prescribe specific development standards in the issuing of a development permit

limiting the size of operation, buildings used for the operation, and number of non-resident employees. Any increase in the area of land for a commercial use, or the number or size of buildings used for the commercial operation, shall require a new discretionary approval by Council.

- (b) Council may specify specific development standards for the location, setback, or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.
- (c) In reviewing a development permit application for a commercial discretionary use, Council shall have regard to the circumstances and merits of the application, including the following:
  - (i) the expected impact on properties in the vicinity of such nuisance effects as smoke, airborne emissions, odors and noise;
  - (ii) the proposed number and location of buildings and structures in relation to other land uses in the vicinity; and
  - (iii) access to an existing graded all-weather registered road, or to a road for which arrangements have been made with Council for the improvement or building of a graded all-weather registered road, which can withstand the expected traffic.

#### 6.1.7 Exceptions to Development Standards

Exceptions to development standards in **A - Agriculture District**, are as follows:

#### 6.1.8 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.17.

#### 6.1.9 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.16.

#### 6.1.10 Temporary Accommodation

A manufactured dwelling or recreational vehicle may be permitted for a period of up to one year on an existing farm site or residential site, while a permanent dwelling unit, for which a valid development permit has been issued, is being actively constructed on the site. In the case where a development permit has not been issued, no manufactured dwelling or recreational vehicle may be used for habitation.

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TABLE 6-1: A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS for the Rural Municipality of Big River No. 555										
Use		Development Standards								
		Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m <sup>2</sup> )
<b>Agricultural Uses</b>										
(1)	Agriculturally related commercial and industrial uses subject to Section 3.5.2.3 in the Official Community Plan	D		1.0	--	30	35	10	10 <sup>(3)</sup>	--
(2)	Farm operations	P		64 <sup>(1)</sup>	--	30	35	10	10	--
(3)	Intensive livestock operations subject to Section 3.5.2.4 in the Official Community Plan	D	3.5.2 (2)	1.0	--	30	35	10	10	--
(4)	Intensive agricultural operations subject to Section 3.5.2.4 in the Official Community Plan	D	3.5.2 (3)	1.0	--	30	35	10	10	--
(5)	Manure disposal for an ILO	D	4.13	1.0	--	30	35	10	10	--
<b>Resource Based Uses</b>										
(1)	Forestry and forest management within the Provincial Forest	P		--	--	--	--	--	3 <sup>(3)</sup>	--
(2)	Mineral exploration and extraction, excluding gravel pits	P		--	--	--	--	--	3	--
(3)	Petroleum exploration or extraction wells and related facilities	P		--	--	--	--	--	3	--
(4)	Petroleum pipelines, oil & gas wells, and related facilities	P		--	--	--	--	--	3	--
<b>Residential Uses</b>										
(1)	Dwelling units as an accessory use, except for farm dwellings	D	3.7.4 (16) 4.14.10 (7)	Same as principal use						
(2)	Farm Dwellings subject to 3.5.2.2 (c) in the Official Community Plan	P	4.14.10	<sup>(2)</sup>	--	30	35	10	10	40
(3)	Single detached dwellings (as a principal use) subject to Section 3.6.2.3 in the Official Community Plan	D		1.0 <sup>(4)</sup>	10.0 <sup>(4)</sup>	30	35	10	10	40
(4)	Staff accommodation as an accessory use	D	4.14.3	1.0	--	30	35	10	10	--
(5)	Permanent work camps	D	3.7.4 (20) 4.14.28	1.0	--	30	35	10	10	--

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(6)	Temporary work camps	D	3.7.4 (21) 4.14.29	1.0	--	30	35	10	10	--
(7)	Garage and garden suites	D	3.7.4(24)	Same as principal use						
(8)	Short term rental accommodations	D	3.7.4(25)	Same as principal use						
<b>Commercial Uses</b>										--
(1)	Agriculture servicing and contracting establishments	D		1.0	--	30	35	10	10 <sup>(3)</sup>	--
(2)	Bed and breakfast homes	D	4.14.5	1.0 <sup>(4)(5)</sup>	10.0 <sup>(6)</sup>	30	35	10	10	74
(3)	Campgrounds, short and long term	D	3.5.2 (1) 4.14.2	1.0	<sup>(4)</sup>	30	35	10	10	--
(4)	Cannabis production facilities	D	3.7.4 (22) 4.14.30	1.0	--	30	35	10	10	--
(5)	Cannabis retail stores	D	4.14.31	1.0	--	30	35	10	10	--
(6)	Construction trades	D	3.7.4 (9)	1.0	--	30	35	10	10	--
(7)	Custodial care facilities	D	4.14.6	1.0 <sup>(4)(5)</sup>	10.0 <sup>(6)</sup>	30	35	10	10	40
(8)	Distilleries, wineries and breweries	P		1.0	--	30	35	10	10	--
(9)	Farmer's markets	P		1.0	--	30	35	10	10	--
(10)	Forest product processing	D		1.0	--	30	35	10	10	--
(11)	Forestry and forest management outside of the Provincial Forest	D		--	--	--	--	--	3	--
(12)	Golf courses	D	3.7.4 (14)	1.0	--	--	35	10	10	--
(13)	Grain elevators	D		1.0	--	30	35	10	10 <sup>(3)</sup>	--
(14)	Health care clinic	D		1.0	--	30	35	10	10	--
(15)	Gravel pits and gravel crushing operations subject to Table 6-1 of the Official Community Plan	D	3.5.2 (10) 3.7.4 (4)	--	--	--	--	--	3	--

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		Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m <sup>2</sup> )
(16)	Home based businesses and farm based businesses	D	4.14.1	1.0 <sup>(4)(5)</sup>	10.0 <sup>(6)</sup>	30	35	10	10 <sup>(3)</sup>	40
(17)	Kennels	D	4.14.13	1.0	--	30	35	10	10	--
(18)	Machine shops and metal fabricators	D	3.7.4 (9)	1.0	--	30	35	10	10 <sup>(3)</sup>	--
(19)	Meat processing and kill facilities	D	3.7.4 (5) 3.7.4 (18)	1.0	--	30	35	10	10 <sup>(3)</sup>	--
(20)	Outfitter base camps	D	3.5.2 (1) 4.14.11	1.0	--	30	35	10	10	--
(21)	Personal care homes	D		1.0 <sup>(4)(5)</sup>	10.0 <sup>(6)</sup>	30	35	10	10	40
(22)	Residential care facilities	D	4.14.6	1.0 <sup>(4)(5)</sup>	10.0 <sup>(6)</sup>	30	35	10	10	40
(23)	Tourism base camps	D	3.5.2 (1) 4.14.11	1.0	--	30	35	10	10	--
(24)	Tourist camps	D	3.5.2 (1) 4.14.2	1.0	--	30	35	10	10	--
(25)	Vacation farms	D		1.0 <sup>(4)(5)</sup>	10.0 <sup>(6)</sup>	30	35	10	10	40
(26)	Veterinary clinics and hospitals, including large animal boarding	D		1.0	--	30	35	10	10	--
<b>Municipal, Recreational, Institutional and Other Uses</b>										
(1)	Airports and airstrips	D		--	--	--	--	--	3	--
(2)	Cemeteries and crematoria	D		--	--	--	--	--	3	--
(3)	Community halls	P		1.0	--	30	35	10	10	--
(4)	Detention centers and correctional institutions	D		1.0	--	30	35	10	10	--
(5)	Gun clubs	D		1.0	--	30	35	10	10	--
(6)	Historical and archeological sites	P		--	--	--	--	--	3	--
(7)	Institutional camps	D		--	--	--	--	--	3	--
(8)	Municipal facilities	P		--	--	--	--	--	3	--

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(9)	Parks and playgrounds	P		--	--	--	--	--	3	--
(10)	Places of worship	D	3.7.4 (3)	--	--	--	--	--	3	--
(11)	Place of worship residences, and other residential religious institutions	D		1.0	--	30	35	10	10	--
(12)	Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--	3	--
(13)	Radar stations	D		--	--	--	--	--	3	--
(14)	Recreation facilities	D	3.7.4 (3)	1.0	--	30	35	10	10	--
(15)	Schools and educational facilities	D		1.0	--	30	35	10	10	--
(16)	Solid and liquid waste disposal facilities, sewage lagoons, pesticide container collection sites, including soil farms for the rehabilitation of contaminated soils, and associated facilities subject to Sections 3.3.2.2 of the Official Community Plan	D	3.5.2 (6) 4.14.4	1.0	--	30	35	10	10	--
(17)	Telecommunications facilities	D	3.7.4 (20)	--	--	--	--	--	3	--
(18)	Wildlife and ecological conservation areas	P		--	--	--	--	--	3	--
(19)	Wind energy facilities, including wind farms	D	3.5.2 (9) 4.14.17 4.14.18	As laid out in Section 4.14.17 & 4.14.18						

**Use Designations:**

**(P) - Permitted Use**

Means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

**(D) - Discretionary Use**

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval by Council; and which complies with the development standards and other regulations as may be required by Council and/or contained in this Bylaw.

**Special limitations and standards regarding Table 6-1 and the A - Agriculture District:**

- (1) or a lesser amount as identified in Section 3.5.2.2(b) of the Official Community Plan
- (2) the same as farm operations

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- (3) where rear yard abuts a railway or a railway reserve no rear yard is required
- (4) or a greater or lesser site size as identified in Section 3.6.2.3 (d) of the Official Community Plan
- (5) unless developed ancillary to a farm operation, in which case 64 hectares, and subject to <sup>(4)</sup> above
- (6) no minimum shall apply if developed ancillary to a Farm Operation



4.14.10 Accessory Uses, Buildings and Structures

- (1) Accessory uses, buildings and structures shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use, and shall include detached decks.
- (2) No form of temporary or permanent residential development or human habitation, including but not limited to, habitable rooms, dwelling units, guest suites or bunk houses shall be permitted in any accessory building. Bunk houses and guest houses as defined herein are prohibited in any residential zoning district. The approval of a proposed development of a single detached dwellings on a site which is intended to replace an existing dwelling will be issued on the condition that the existing dwelling is removed upon completion of the construction of the new dwelling in order to prevent the continuance of its use in the future for residential purposes as a guest house.

(3) *Time of Construction:*

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building.

(4) *Height of Accessory Buildings and Structures:*

(a) Residential Districts:

- (i) Detached accessory buildings and structures in any lakeshore residential district: not greater than the height of the principal building, except for garage suites, which in any case have a maximum height of 7.5 meters.
- (ii) Detached accessory buildings and structures in any park model or manufactured dwelling district shall not exceed a height of 5 meters, and in no case shall they be two storeys in height.
- (iii) Detached accessory buildings and structures in any country residential development district: No height restrictions.

(b) Agricultural, Commercial and Industrial Districts:

- (i) Detached accessory buildings and structures in any agriculture district, forest district, commercial district or industrial district: No height restrictions.

(5) *Number of Permitted Accessory Buildings:*

The floor area of all principal and accessory buildings and structures on a site shall not exceed the maximum site coverage, where required.

(a) Residential Districts:

- (i) Detached accessory buildings and structures in any country residential development district - no restrictions.
- (ii) Detached accessory buildings and structures in any other residential district: (3) three, except for sites that include one or more consolidated lots under one title, where the maximum is (4) four.
- (iii) A greenhouse, less than 10 m<sup>2</sup> in area, shall not be included in the number of accessory buildings noted in subsection (ii) above.

(b) Agricultural, Commercial and Industrial Districts:

- (i) Detached accessory buildings and structures in any agriculture district, forest district, commercial district or industrial district - no restrictions.

(c) Where this bylaw specifies the maximum building floor area for accessory buildings, that area shall mean the combined building floor area of all accessory buildings and structures, including detached decks, on site.

(6) *Location of Accessory Buildings:*

(a) Park Model Residential District and Manufactured Dwelling Residential District – detached accessory buildings and structures are subject to the following regulations:

- (i) *Front Yard:* minimum – 6 meters, except for lakeshore sites, the minimum shall be 1.5 meters.
- (ii) *Rear Yard:* minimum – 1.5 meters, except for lakeshore sites, the minimum shall be 6 meters.
- (iii) *Side Yard:* minimum – 1.5 meters.
- (iv) *Building Floor Area:* maximum – 135 m<sup>2</sup>.

(1) Council may at its discretion approve a private garage, greater than 135 m<sup>2</sup>, to a maximum of 10% of the site area, where:

- (a) the abutting landowners are notified and comments are obtained; and
- (b) consideration is given to the location of the building on the site relative to the neighboring properties.

- (b) Lakeshore Residential Districts – detached accessory buildings and structures are subject to the following regulations:
- (i) *Front Yard*: minimum – 6 meters, except for lakeshore sites, the minimum shall be 1.5 meters.
  - (ii) *Rear Yard*: minimum – 1.5 meters, except for lakeshore sites, the minimum shall be 6 meters.
  - (iii) *Side Yard*: minimum – 1.5 meters.
  - (iv) *Building Floor Area*: maximum of 223 m<sup>2</sup>
    - (1) Council may at its discretion approve a private garage, greater than 223 m<sup>2</sup>, to a maximum of 10% of the site area, where:
      - (a) the abutting landowners are notified and comments are obtained; and
      - (b) consideration is given to the location of the building on the site relative to the neighboring properties.
- (c) Country Residential Districts – detached accessory buildings and structures in any country residential district are subject to the following regulations:
- (i) *Front Yard*: minimum – 8 meters
  - (ii) *Rear Yard*: minimum – 3 meters
  - (iii) *Side Yard*: minimum – 3 meters
  - (iv) *Building Floor Area*: maximum of 223 m<sup>2</sup>
    - (1) Council may at its discretion approve a private garage, greater than 223 m<sup>2</sup>, to a maximum of 10% of the site area, where:
      - (a) the abutting landowners are notified and comments are obtained; and
      - (b) consideration is given to the location of the building on the site relative to the neighboring properties.
- (d) Agricultural, Forest, Commercial and Industrial Districts:

Detached accessory buildings and structures in any agricultural or commercial district are subject to the following regulations:

- (i) *Front Yard*: minimum - same as principal use
- (ii) *Rear Yard*: minimum – same as principal use, except campgrounds, outfitter base camps, and tourist camps where the minimum shall be 4.5 meters.
- (iii) *Side Yard*: minimum – same as principal use, except campgrounds and tourist camps where the minimum shall be 4.5 meters.

(7) *Accessory dwelling units shall only be permitted to accommodate:*

- (a) no more than two farm dwellings as residences for the operators, or for employees and/or partners engaged in farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.5.2.2 of the Official Community Plan.
- (b) a business dwelling as a residence for an operator, manager, an employee and/or partner engaged in a commercial or industrial use in a commercial, industrial or agricultural zoning district, subject to the following provisions:
  - (i) the dwelling unit must be physically attached to the primary building where commercial or industrial operations are underway;
  - (ii) the business dwelling shall have a main entrance separate from that of the commercial or industrial establishment; and,
  - (iii) an emergency exit must be provided in addition to the main entrance.

(8) *Swimming Pools:*

Private swimming pools, both above ground and in-ground, both open and covered, shall be permitted in any zone where residential uses are permitted, subject to the following conditions:

- (a) *Open Pools:*
  - (i) Open pools shall be enclosed within a fence a minimum of 1.8 meters in height located not less than 1.2 meters from the pool.
  - (ii) Open pools shall not be constructed closer than 1.5 meters to any site line plus additional horizontal distance equal to the height of the top edge of the pool above finished grade at the site line(s). For the purpose of the foregoing, the distance to the site line shall be measured from the nearest inside edge of the pool.
  - (iii) No part of an open pool including an associated apron or platform shall be constructed closer to a street line than the front yard requirements for

a principal building in the zoning district within which it is located.

- (b) Covered pools shall conform with the building accessory requirements relevant to the zoning district in which they are located.

(9) *Shipping Containers:*

- (a) Shipping containers and shall be prohibited in all districts except the A, F, CR1, CR2, CR3, C2 and M1 districts.
- (b) Shipping container, permitted under subsection (a), shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- (c) Shipping containers, permitted under subsection (a), shall:
  - (i) be properly anchored and maintained in good repair;
- (d) Notwithstanding (a) and (c), and at Council's discretion, one shipping container may be temporarily placed on a site in any District for a period of up to 6 months, where a valid building permit has been issued for a new building or building renovation. The Development Officer may renew this permit for an additional 6 month period. After 6 months, or 12 months where approved by the Development Officer, the shipping container must be removed from the site.

(10) *Membrane Covered Structures:*

- (a) Membrane covered structures shall be permitted as an accessory use in the A, F, CR1, CR2, CR3, C1, C2, LR1, LR2, RMH, RPM and M1 districts.
- (c) Development applications for membrane covered structures must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of the National Building Code and shall be installed securely anchored to the ground.
- (d) In any Zoning District, a membrane covered structure may obtain approval as a temporary use, for a period not to exceed seven (7) days in a calendar year.

(11) *Decks*

- (a) All decks shall require the issuance of a Development Permit prior to construction.
- (b) Decks 0.6 meters or less above grade level shall not be required to obtain a building permit.

(12) *Sheds in AG and F Districts*

One shed may be constructed on an undeveloped site in the AG or F District subject to:

- (a) The shed being no greater than 20 m<sup>2</sup> in floor area and no greater than 4.0 meters in height.
- (b) The shed shall not be constructed on a permanent foundation.
- (c) The shed shall not be connected to electricity or natural gas.
- (d) An approach from the municipal road to the property is the responsibility of the land owner and must exist prior to the placement or construction of the shed.